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ELIAS PAPADOPOULOS

JULY 1 (legislative day, JUNE 27), 1952.—Ordered to be printed

Mr. McCARRAN, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 4396]

The Committee on the Judiciary, to which was referred the bill (H. R. 4396) for the relief of Elias Papadopoulos, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Elias Papadopoulos. The bill provides for an appropriate quota deduction and for the payment of the required visa fee and head tax.

STATEMENT OF FACTS

The beneficiary of the bill is a 40-year-old native and citizen of Greece who last entered the United States as a seaman on March 30, 1948. He was married to a United States citizen on March 7, 1949, and a child was born to the couple on April 2, 1950. He would be eligible for relief under section 19 (c) of the Immigration Act of 1917 were it not for the fact that more than 20 years ago in Greece he was convicted of stealing a letter. Other than this one offense he appears to have no adverse record.

A letter dated February 21, 1952, to the chairman of the Committee on the Judiciary of the House of Representatives from the Deputy Attorney General with reference to the case reads as follows:

FEBRUARY 21, 1952.

HON. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

MY DEAR MR. CHAIRMAN: This is in response to your request for the views of the Department of Justice relative to the bill (H. R. 4396) for the relief of Elias Papadopoulos, an alien. The bill would grant Mr. Papadopoulos permanent residence in the United States.

The files of the Immigration and Naturalization Service of this Department disclose that Mr. Papadopoulos is a native and citizen of Greece, having been born in Athens, Greece, on July 17, 1911. He last entered the United States at the port of Newport News, Va., on March 30, 1948, as a member of the crew of the steamship *Nueva Esperanza*. He was admitted under section 3 (5) of the Immigration Act of 1924, for the period of time the vessel remained in port, but not exceeding 29 days. He failed to depart with his vessel, however, and has remained in this country since that time.

The files further reflect that, according to Mr. Papadopoulos, he first served in the Greek Army in 1931 and was discharged therefrom in 1933. He again served in the Greek Army during World War II from October 28, 1940, until August 20, 1945, when he was honorably discharged. His mother resides in Athens, Greece, and his father is deceased. On March 7, 1949, he married a citizen of the United States in Canton, Ohio. On April 2, 1950, a child was born to them in Canton, Ohio. Mr. Papadopoulos is employed as a painter and earns about \$15 per day.

Mr. Papadopoulos was accorded a hearing in deportation proceedings on March 29, 1951, under a warrant of arrest dated October 26, 1949, containing the charge that he is unlawfully in the United States in that, after admission as a seaman, he has remained in the United States longer than permitted under the Immigration Act of 1924 or regulations made thereunder. At the hearing there was presented in evidence a certified record of his conviction in Piraeus, Greece, in 1932, of the theft of letters, falsification and use of official documents, and misappropriation of an article belonging to a member of the armed forces. He was sentenced to imprisonment for 6 months, which sentence was suspended for 3 years. He also was convicted on October 10, 1947, in absentia, on a charge of inflicting wounds through negligence, and disturbance of the peace. The offense was alleged to have been committed on October 25, 1946, while Mr. Papadopoulos was driving a truck. There were lodged against him at the hearing as additional grounds for his deportation the charges that he had been convicted of and admits having committed a felony or other crime or misdemeanor involving moral turpitude prior to entry into the United States, namely, theft of registered letters containing funds. At the request of Mr. Papadopoulos' counsel, the warrant hearing was adjourned. A continuation of the hearing has not as yet been held.

As the husband of a citizen of the United States by a marriage occurring on or after January 1, 1948, Mr. Papadopoulos is eligible for a first preference status in the issuance of a quota immigration visa under section 6 (a) (1) of the Immigration Act of May 26, 1924, as amended. The first preference portion of the quota of Greece, to which he is chargeable, is not oversubscribed. However, it appears that he has been convicted of a crime involving moral turpitude and he would, therefore, be mandatorily excludable from the United States and an immigration visa could not be issued to him (sec. 2 (f), Immigration Act of 1924). Furthermore, he apparently would not be eligible for the relief of suspension of deportation pursuant to section 19 (c) of the Immigration Act of 1917, as amended, on the ground that his deportation would result in a serious economic detriment to his United States citizen wife and child since he appears to be deportable on one of the grounds mentioned in section 19 (d) of that act. No final administrative decision has been made, however, as to the grounds for his deportability.

The alien has lived in the United States for approximately 4 years and has a wife and minor child both of whom are native born citizens of this country. The offense which apparently is a bar to his effecting an adjustment of his immigration status occurred more than 19 years ago. The amount of money involved was 500 drachmas or approximately \$3 (it is understood that the value of the drachmas in October 1932, in terms of United States money, was approximately 0.006 cent). Prior to and since that time there is nothing to indicate that the alien has committed or been convicted of any other offenses involving moral turpitude, or that he has behaved other than as a person of good moral character.

In view of the foregoing, it is believed that the question of whether legislation to enable this alien to adjust his immigration status should be enacted is one of legislative policy on which the Department of Justice prefers to make no recommendation. However, if favorable action on such legislation is to be taken, it is

suggested that rather than the language used in the bill, language should be used specifying the offense for which a waiver of the immigration laws is to be granted.

Sincerely,

A. DEVITT VANECH,
Deputy Attorney General.

Congressman Frank T. Bow, the author of the bill, submitted to the Committee on the Judiciary of the House of Representatives the following information in support of the bill:

FRED ELIAS GEORGE, LAW OFFICES,
Canton 2, Ohio, May 9, 1951.

Re Elias Papadopoulos.

JAMES H. EMSLEY,
Peoples Bank Building, Canton, Ohio.

DEAR JIM: This letter concerns the above-mentioned alien of whom I talked to you about this morning. Mr. Papadopoulos is a native of Greece and served in the Greek Navy and Army and received an honorable discharge from both branches. He became an able seaman and worked for the U. N. for a while and shipped out on *Nucava Esperanza*. In 1948 he met and married an American citizen here in the United States.

We applied for suspension of deportation proceedings, and upon hearing it developed that this alien was convicted of a misdemeanor which involves moral turpitude, in that it is claimed that he stole a registered letter which belonged to another member of the armed forces of Greece and that he falsified an official document and misappropriated an article belonging to a member of the armed forces of Greece. My client denies that he was a party to this and explains that the details of the plea and conviction were entered by an attorney for him and that he served no time beyond the date of the trial on these offenses.

These alleged offenses occurred in 1933 when my client was about 20 or 21 years of age, and since that time, with the exception of one automobile accident which took place in 1947, he has not been arrested nor has he had any brushes with the law.

He has never been arrested while a resident of the United States and is highly regarded and respected by his neighbors and friends. He is sober, industrious, and is the father of one child.

We feel that to permit him to stay in the United States would be a definite asset to the United States and that he would make a good citizen and it is with this thought in mind that I am writing and asking whether Mr. Bow can submit a bill in Congress to the end that this man will be permitted to remain in this country.

He is handicapped by a lack of knowledge of our language and needs someone to carry his battles for him. Any help that you can give in this regard will be deeply and sincerely appreciated both by him and his family and yours truly.

If you find that arrangements can be made for the introduction of and passage of such a bill, we will be glad to submit, in proper form, a bill to this end.

Thanking you in advance for your consideration I am,

Very truly yours,

FRED ELIAS GEORGE.

HOLY TRINITY GREEK ORTHODOX CHURCH,
Canton, Ohio, July 5, 1951.

To Whom It May Concern:

This is to certify that Elias John Papadopoulos of 1804 Irving Place NE, age 39, a Greek Orthodox member of our community and a Greek citizen, is a registered and regular member of our church as of January 1, 1949, is of good character, a good family man, and a good resident citizen of our community.

The above is issued upon his request to be used at will.

S. PSOMIADIS, *President.*
REV. VAS. HARTOFILAX,
Pastor.

[SEAL]

P. PAPADOPOULOS, *Secretary*
(For the Holy Trinity Greek Orthodox Church).

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 4396) should be enacted.

